

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

226

CRM-M-4512-2016

Date of Decision: February 25, 2016

RAKESH KUMAR @ PANDIT

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Vijay K.Jindal, Advocate for the petitioner.

Mr.K.S.Nalwa, Addl.A.G.Punjab.

M.M.S.BEDI, J.(Oral)

While undergoing sentence after having been convicted in a criminal case, the petitioner was arrested in the present case on the basis of statement of his co-accused Kuldip Singh alleging that petitioner along with Sarabjit Singh was responsible for the sale of 4 packets of heroin to the smugglers outside the jail after contacting them on phone on asking of Ravinder Singh.

State counsel opposed the bail application contending that allegations against the petitioner are serious and that relevancy and authenticity of the statement of co-accused could be appreciated at the time of trial.

I have heard counsel for the petitioner and State counsel and carefully gone through the record. In view of recovery having not been effected from the petitioner, co-accused of the petitioner having been granted the concession of bail, petitioner can be granted concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail, in the present FIR, irrespective of the fact that he is undergoing his detention in another case, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

**(M.M.S.BEDI)
JUDGE**

**February 25, 2016
TSG**